

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JAMES F. DAUT AND WILLETTA RUSCONI)	
)	
COMPLAINANTS)	
)	
v.)	CASE NO. 97-056
)	
BOONE COUNTY WATER & SEWER DISTRICT)	
)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

Boone County Water & Sewer District ("Boone District") is hereby notified that it has been named as defendant in a formal complaint filed on January 23, 1997, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, Boone District is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.


Done at Frankfort, Kentucky, this 18th day of February, 1997.


ATTEST:


Executive Director

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

97-00197

January 20, 1997

Public Service Commission of KY
730 Schenkel Lane
P.O. Box 615
Frankfort, KY 40602

*Case No.
97-056*

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PUBLIC SERVICE
COMMISSION

To Whom It May Concern;

Enclosed you will find the copies of the complaint requested by Ms. Smith, who has, so far, been most helpful and courteous in assisting us to bring about this Formal Complaint. We are circulating a petition against this Water Project in it's current form and hope to have it completed soon.

If you need any further information, please call:
Jim Daut 606-485-7015 or Willetta Rusconi 606-485-4281.

Sincerely,

James F. Daut

Willetta Rusconi
Willetta Rusconi

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

James F. Daut and Willetta Rusconi
(Your Full Name)

COMPLAINANT

VS

Boone County Water District
(Name of Utility)

DEFENDANT

COMPLAINT

The complaint of James F. Daut and Willetta Rusconi respectfully shows:
(Your Full Name)

(a) James F. Daut (606-485-7015) and Willetta Rusconi (606-485-4281)

(Your Full Name)

1387 Richwood Rd., P.O. Box 228

922 Richwood Rd.

Walton, Ky. 41094

Walton, Ky. 41094

(Your Address)

(b) Boone County Water District

(Name of Utility)

2475 Burlington Pike, Burlington, Ky. 41005

(Address of Utility)

(c) That: (Describe here, attaching additional sheets if necessary, the specific act, fully and clearly, or facts that are the reason and basis for the complaint.)

This complaint is pursuant to the outrageous cost being assessed to the Small Property Owners involved in the US 42 & RT. 338 Richwood Road area water project. We feel that the Judge Executive and the Boone County Water Commission have only the interest of the Developers in mind and no concern for the Small Property Owners.

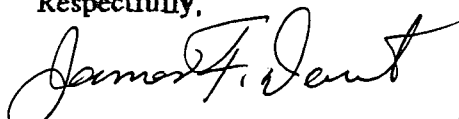
Due to the fact that the Unit Weights that were made available to be used as Votes for the project allowed 31 of the 104 property Owners to control 66% of the Votes cast. This is not, by any means, a Majority or a Democracy. However, it does set a precedent allowing Developers to use local Government to force small groups of private Property Owners to bear the cost of Public Utilities that will benefit the Developer.

We feel the County should float Bonds for this project and charge only Tap-In fees for those who wish to have water.

Furthermore, if the Judge Executive insists on forcing this project on those who do not wish it, we suggest he find other viable means of funding it. An additional fee on water bills of All County Residents until the project is paid for, and not a Lien bearing 6% interest on a few Small Property Owners would be another avenue to pursue.

Thank You for assistance in helping us to resolve this matter.

Respectfully,


James F. Daut


Willetta Rusconi

Dated at Richwood, this 20th, day of January, 1997.
(Your City) (Month)

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